

**RURAL, ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE****16 NOVEMBER 2011****REPORT OF HEAD OF REGULATORY SERVICES****PROPOSED TAXI BYELAW****1.0 PURPOSE OF REPORT**

1.1 The purpose of this report is to present to the Committee a proposal for the adoption of a hackney carriage byelaw.

**2.0 RECOMMENDATIONS**

2.1 **It is recommended that the proposed byelaw be adopted in line with the attached report.**

2.2 **It is further recommended that the Head of Regulatory Services be delegated the authority to consider any objections against the adoption of the byelaw. If an objection is considered to be contentious, such objection/s will be reported back to the Committee for consideration.**

**3.0 KEY ISSUES**

3.1 A Local Authority has the power to adopt a byelaw in respect of taxi licensing under the provisions of section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875.

3.2 The provision of a byelaw to control the use of taxis (Hackney Carriages) in the Borough would ensure that all of the drivers and operators act and charge in the same manner, ensuring the use of the meters attached to each vehicle for the charging of fares.

3.3 The process for adopting a byelaw is contained within s236 of the Local Government Act 1972. The process that needs to be followed by the Council in adopting a bye-law and this was attached in the Department for Transport Guidance Note of July 2005 and this is attached as Appendix 1. This process must be followed before any new byelaw is adopted.

3.4 The proposed byelaw follows the model byelaw that the Department for Transport publicised in the Annex to Department of Transport Circular 8/86. The proposed byelaw is attached as Appendix 2.

**4.0 POLICY AND CORPORATE IMPLICATIONS**

5.1 Should a byelaw be adopted as per the recommendation there would be a necessity to make suitable provision for changes to the existing taxi policy. There will not be any corporate implications.

**6.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

6.1 The adoption of a Taxi Byelaw would have a financial cost to the Council in terms of officer time in the carrying out of the consultation and implementing any change and financially for the advertising of proposed Byelaw in the newspaper.

**7.0 LEGAL IMPLICATIONS/POWERS**

7.1 The power and process to adopt such a byelaw is detailed under of the provisions of section 235 and section 236 of the Local Government Act 1972.

8.0 **COMMUNITY SAFETY**

8.1 There are no community safety issues to be considered.

9.0 **EQUALITIES**

9.1 There are no equalities issues to be considered.

9.1 **RISKS**

10.1 The issue has arisen from complaint that fares governed by the use of meters can be unreliable and fail to meet with customer expectations.

11.0 **CLIMATE CHANGE**

11.1 There are no implications for Climate Change.

12.0 **CONSULTATION**

12.1 Consultation would be carried out as part of the process of adopting the byelaw

13.0 **WARDS AFFECTED**

13.1 All.

Contact Officer: Andrew Dudley

Date: 28<sup>th</sup> October 2011

Appendices : Appendix 1 – The byelaw Making Process

Reference : Q : Committee